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Guide to European Union Documents in the UGA Law Library

Anne Burnett

University of Georgia School of Law Library, aburnett@uga.edu

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Guide to European Union Documents in the UGA Law Library

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I. Introduction

The European Union (EU) has established a network of libraries to give Americans access to all of its official publications. EU depository libraries automatically receive, free-of-charge, one copy of most EU periodicals and monographs. The collections are available to the public during each depository library's regular working hours.

The University of Georgia Law Library achieved selective depository status for EU documents in the late 1980s through the efforts of Associate Dean Gabriel Wilner. Our status as an EU depository enables us to provide our patrons with EU court decisions, legislation, reports, statistics, and many other types of documents. In addition to the items we receive through the depository program, the library also purchases a number of other documents and materials published by and about the institutions of the EU. Many of our EU depository items can be checked out, while others must be used in the Law Library.

An important development in the EU's depository program is the increase in electronic information. **Eurlex**, available at <http://eur-lex.europa.eu>, is the EU's official portal to online EU documents. It is easy-to-use and includes, among many types of materials, the full text of the founding treaties, legislation, opinions, resolutions, case law, and parliamentary questions.

This guide serves as a locator for some of the most frequently-used EU materials available in the UGA Law Library and on the web. Many of the print items received by the library are cataloged individually and shelved by call number. Use our catalog, GAVEL, to locate these materials. If you do not know the exact title of an item, try a keyword search in GAVEL or, try a Subject search (note: "European Union" is a subject heading, but you might also try looking for specific subjects followed by the geographical/political designation, e.g., "Environmental Law -- European Union" - always bear in mind that searching by keyword is much more flexible than searching by subject in GAVEL).

Please contact Anne Burnett, Foreign and International Law Librarian (Annex -2, 542-5298 or aburnett@uga.edu), for assistance in locating and using our EU materials.

II. A Brief History of the European Union

1. *Founding Treaties:*

Belgium, France, Germany, Italy, Luxembourg, and the Netherlands signed the **Treaty of Paris** on April 18, 1951, creating the **European Coal & Steel Community (ECSC)**. In 1957, these member countries signed the **Treaties Establishing the European Economic Community (EEC) and the European Atomic Energy Community (EURATOM)**.

In 1987, the **Single (European) Act** entered into force, revising the founding treaties.

In 1993, the **Treaty on European Union** (signed in Maastricht) created three pillars:

- "Pillar 1" - the original three Treaties (ECSC, EURATOM, EC), with amendments.
 - Economic and Monetary Union
 - supplementary powers
 - renames the EEC to European Community (EC)
- "Pillar 2" - Common Foreign and Security Policy (CFSP); procedures for policy making and joint action in foreign and security affairs.
- "Pillar 3" - Justice and Home Affairs (JHA)
 - asylum, immigration, combating drug addiction, fraud on an international scale, judicial cooperation in civil and criminal matters, and customs and police cooperation in areas such as terrorism.

Signed in 1997, the **Treaty of Amsterdam** consolidates the text of the EC Treaty, expands the Parliament's legislative powers, increases cooperation in foreign and security policy, and also strengthens cooperation in justice and home affairs. The Treaty of Amsterdam entered into force on May 1, 1999, following ratification by all Member States.

In 2003, the **Treaty of Nice** entered into force, reforming the institutions so that the EU to allow efficient functioning with the enlargement to 25 Member States.

2. Member States

Belgium, France, Germany, Italy, Luxembourg, and the Netherlands are the original six Member States of the ECSC, the EEC and EURATOM. The first enlargement occurred in 1973, when **Denmark, Ireland, and the United Kingdom** acceded to the European Community, raising the number of Member States to nine. In 1981, **Greece** became the tenth Member State, followed by **Spain and Portugal** in 1986. The EU welcomed **Austria, Finland, and Sweden** in 1995, and the most recent enlargement, in 2004, saw ten new countries entering the EU: **Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia**.

3. The Institutions

European Commission - executive and administrative branch (<http://ec.europa.eu/>);

Council of the European Union - principal legislative role (<http://www.consilium.europa.eu/>);

European Parliament - limited legislative power under the consultation and cooperation procedures and shared legislative power with the Council under the co-decision process (<http://www.europarl.europa.eu/>);

Economic and Social Committee - represents employer, employee, consumer and other interests (<http://eesc.europa.eu/>);

Committee of the Regions - advisory opinions on matters affecting regional interests (<http://www.cor.europa.eu/>);

European Court of Justice - judiciary body (<http://curia.europa.eu/>);

Court of Auditors - oversees EU expenditures (http://www.eca.eu.int/index_en.htm);

European Investment Bank - provides capital for investment and economic development (<http://eib.eu.int/>);

European System of Central Banks (and the European Central Bank) - responsible for the changeover to a single currency (euro) and for maintaining price stability (<http://www.ecb.int/>).

4. What is the proper name for the EU or EC or EEC?"

-trend is to use "European Union" on informal and unofficial documents, even if no treaty amending name officially

III. Law of the EU

1. Legislation

a. Primary Legislation

Primary legislation in the EU consists of the treaties establishing the various communities and EU, plus revising treaties and documents of accession.

b. Secondary Legislation

Secondary legislation in the EU consists of Regulations, Directives, and Decisions, which are based on one or more Treaty articles. **Regulations** have general effect and are directly applicable in the Member States; **Directives** are addressed to the Member States and binding as to the result, but Member States may choose the form and methods for implementation into their national legal systems; **Decisions** are binding only on the addressee; and **Recommendations and Opinions** have no binding force.

c. Legislative Documents

European Commission: COM Documents include proposals and amendments issued by the European Commission. Many of these are also published later in the *Official Journal*, "C" series at **KJE 908 Ser. C (Annex-3rd)** without the Explanatory Memorandum. COM Documents are shelved by number in the EU collection (**Annex-3rd, low bookshelves along balcony**).

Economic and Social Committee (ESC or CES) and Committee of the Regions: opinions are in the *Official Journal*, "C" series at **KJE 908 C Ser. (Annex-3rd)**. ESC opinions are also available as CES documents, which are shelved by number in the EU collection (**Annex-3rd, low bookshelves along balcony**). Committee of the Regions documents are also available as CdR documents, which are shelved by number in the EU collection (**Annex-3rd, low bookshelves along balcony**).

d. Publication

The authoritative source for primary and secondary legislation is the ***Official Journal of the European Communities*"L" series**, at **KJE 908 Ser. L (Annex-3rd)**.

The ***Official Journal* "C" Series** contains non-binding decisions and

resolutions of the institutions, communications and notices of the Commission, proposals for legislation, Minutes of the Parliament, replies to written questions from Parliamentarians, opinions of the Economic and Social Committee and the Committee of the Regions, Court judgments, Commission contract tenders, and the daily European Currency Unit (ECU) rate. **KJE908 Ser. C (Annex-3rd)**.

The **Official Journal - Annex** publishes verbatim reports of plenary sessions (debates) of the European Parliament. **KJE908 (Annex-3rd)**.

The **Official Journal "S" Series** publishes notices of invitations to tender for contracts. The notices are available online via Tenders Electronic Daily (TED) at <http://ted.europa.eu/>.

The *Official Journal* is published daily in twenty languages.

The EU ceased distribution of the print *Official Journal* in 2000; fortunately, EURLex <http://eur-lex.europa.eu/en/index.htm> provides free access to the full text of the *Official Journal of the European Communities* from 1998 to present.

Westlaw provides access to the treaties in EU-TREATIES, the Official Journal "L" Series in EU-LEG, the Official Journal "C" series in EU-OJCSERIES, to the CM, CES and EP documents in EU-ACTS, and to the Parliamentary Questions in EU-QUESTIONS. Lexis' coverage is currently unavailable.

e. No Official Codification!

Unlike the United States, where legislation and administrative law are codified into the United States Code and the Code of Federal Regulations, there is no official subject codification of EU legislation. However, the legislation in force as classified according to the **Directory of Community Legislation in Force** (KJE920.5 .D57 - Annex 3rd) classifies EU legislation into twenty topical chapters with divisions into further sub-sections. In addition, the European Commission is publishing a "provisional" collection of consolidated texts: **Collection of Consolidated Texts** (KJE921 .E93 - Annex 3rd). These collections pull together a piece of legislation and any subsequent amending legislation. Both the **Directory** and the **Consolidated Texts** are available on EurLex at <http://eur-lex.europa.eu/en/legis/index.htm>. Summaries of EU legislation, arranged by policy area, are available at SCADPlus http://europa.eu/scadplus/scad_en.htm.

2. Court Decisions

Cases of the Court of Justice are published in *Reports of Cases before the Court of Justice and Court of First Instance* at **KJE924.5 R47 (Annex-3rd)**. Because there is a backlog of several months between the judgment and its publication in the *Reports*, you may want to check the ECJ's Web site (<http://curia.europa.eu/>), which posts cases within a few days after judgment.

Commercial reporters also publish *selected* cases of the ECJ and of national courts. Try *European Community Cases* at **KJE923.7 .E97** and *Common Market Law Reports* at **KJE923.7 .C66 (Annex-3rd)**.

On **Westlaw**, find ECJ cases in EU-CS. **Lexis** coverage is currently unavailable.

IV. Secondary Resources

1. Annual Reports, Periodicals, etc.

Bulletin of the European Union (KJE903 .B85 - Annex 3rd) and online at <http://europa.eu/bulletin/en/welcome.htm>.

Review of the Council's Work (HC241.2 .C72a - Basement)

2. Periodicals Indexes

LegalTrac, the Index to Legal Periodicals and the Index to Foreign Legal Periodicals all index numerous journals containing articles on or related to the European Union. Follow the links to these indexes from the Law Library's Research Resources page at <http://www.law.uga.edu/library/research/index.html>.

Lexis and Westlaw both contain full-text articles, including many on the EU. The **Legal Journal Index** on Westlaw indexes articles from legal journals published in the United Kingdom and Europe as well as journals covering topics pertaining to the laws of the European Community and its Member States.

3. Press Releases & Hot Topics

RAPID on the Europa Web site at <http://europa.eu/rapid/> provides press releases from the European Commission, Council of Ministers, Court of Justice, Court of Auditors, Economic and Social Committee and the Committee of the Regions.

4. Invaluable Databases & Web Sites

a. Electronic Resources

EUROPA - <http://europa.eu.int> -For a plethora of free EU information and documents, check out EUROPA, the official Web site for the EU. EUROPA evidences the European Commission's commitment to making EU material accessible. **EURLex**, which is linked from EUROPA, is the best starting point for EU research. The current EURLex database includes the holdings of the prior official database, CELEX, and provides access to the *Official Journal of the European Communities* and the founding treaties, international agreements, legislation in force, legislation in preparation, case-law, and parliamentary questions. EURLex also provides access to news, the union's budgetary information, and topical arrangements of EU materials. EURLex is updated daily and is available in multiple languages. LexAlert is a forthcoming tool that will allow visitors to sign up for automatic document notification (keep an eye on <http://eur-lex.europa.eu/en/tools/lexalert.htm> for developments regarding this alert service).

b. Recommended Research Guides, Bibliographies, etc.

Marylin J. Raisch, *European Union Law: An Integrated Guide to Electronic and Print Research* available on LLRX at <http://www.llrx.com/features/eulaw2.htm>.

E.B. Williams Law Library Research Guides: European Union available at <http://www.ll.georgetown.edu/intl/guides/eu/>

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